

United States Department of the Interior

BUREAU OF LAND MANAGEMENT

Montana State Office

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In Reply To:
2920/1240 (924.5) P

May 29, 2003

EMAIL TRANSMISSION - 5/30/03
Information Bulletin No. MT-2003-053

To: Field Managers

From: State Director

Subject: FY2003 Self-Assessment Program Review - 2920 Film Permit Program
DD: 6/18/03

This transmits WO IM No. 2003-175 with a self-assessment questionnaire covering a number of topics associated with processing 2920 film permits (land use authorizations). The questionnaire should be answered by an individual on the field office staff that is responsible for processing 2920 film permits. Once the questionnaire has been completed, the Field Manager must certify the response by signing at the end of the self-assessment questionnaire.

Please submit a completed and signed questionnaire to Craig Haynes (MT-924) by COB June 18, 2003. All questionnaires will then be forwarded through the State Director for certification and then on to WO-350 by the June 30, 2003, due date.

Please direct any questions to Craig at 406-896-5040.

Signed by: Thomas P. Lonnie, Acting State Director

Authenticated by: Kathy Iszler, Staff Assistant (MT-924)

1 Attachment
1-WO IM No. 2003-175 (10 pp in its entirety)

Distribution

Assistant Field Manager, Havre Field Station - 1
Assistant Field Manager, Glasgow Field Station - 1
SO MT - 1

UNITED STATES DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT
WASHINGTON, D.C. 20240

May 23, 2003

In Reply Refer To:
2920/1240 (WO-350) I

EMS TRANSMISSION 05/27/2003
Instruction Memorandum No. 2003-175
Expires: 09/30/2004

To: State Directors, (**except** Alaska, Colorado, Eastern States, Idaho, and Oregon)

From: Assistant Director, Minerals, Realty and Resource Protection

Subject: FY 2003 Self-Assessment Program Review – 2920 Film Permit Program

DD: 06/30/2003

Program Area: Lands and Realty – 2920 Film Permits (Land Use Authorizations)

Purpose: In accordance with the Federal Managers' Financial Integrity Act of 1982 (FMFIA) and OMB Circular A-123, the Bureau is required to conduct annual assessments of its programs and functions. The purpose of the assessments is to support the Bureau's annual assurance statement and to ensure that:

- programs achieve their intended results;
- resources are used consistent with agency mission;
- resources are protected from waste, fraud, and mismanagement;
- laws and regulations are followed; and
- reliable and timely information is maintained, reported, and used for decision-making.

In collaboration with the Program Evaluation Staff (WO-830), we have developed a new tool for the evaluation and assessment of the Film Permit Program. This tool is designed to be conducted as a "self-assessment," and may not require a site visit by a Washington Office Team.

The objectives of this self-assessment are to determine:

- a. If 2920 film permits are being processed consistently and in accordance with laws, regulations, and BLM policy;

- b. If actions performed are documented in case files and in the case recordation (LR 2000) system;
- c. If cost recovery and rental receipts are being collected and properly deposited into the appropriate accounts;
- d. If you have sufficient knowledge and skills required to process 2920 film permits;
- e. If there is a process in place to ensure the availability and reliability of program data and information; and
- f. If you feel there is a need for additional guidance.

The goal is to gather enough information to evaluate the 2920 Film Permit Program, then to work together with Field and State Offices to implement correction of any identified deficiencies.

Background: The Department of Interior has directed that 50% of all program reviews will be conducted without site visits. We also have a desire to make our program reviews more efficient while maintaining a high level of accountability. With the improvements in data collection through the Bureau's Management Information System (MIS) and LR 2000, we should be able to verify and validate certain information without the requirements for a site visit. The self-assessment is intended to operate in the spirit of honesty and self improvement. We want the management and staff to freely identify areas where additional time and attention could be spent in order to comply with policy and regulations. We also are hopeful that you are not hesitant to seek advice or help from Headquarters or other BLM offices. In summary, Headquarters is interested in improving programs at less expense and with closer collaboration and cooperation than has traditionally been demonstrated in the past.

Policy/Action: The attached self-assessment questionnaire should be distributed to all field and district offices within your State that process 2920 film permit applications. The directions for use of the attached program review questionnaire are as follows:

1. The questionnaire should be answered by an individual on the field office staff that is responsible for processing 2920 film permit applications. In most instances the questions can be answered with either a "yes" or "no." When "no" answers are provided on certain questions, explanations are requested as part of the response. A negative response does not necessarily constitute an incorrect action. In other instances, the questions are self-explanatory and will require you to make a selection(s) or to "fill in the blank."
2. The Field/District Office Manager should certify the responses by signing at the end of the self-assessment questionnaire. The questionnaire should then be forwarded through the State Director to the Assistant Director, Minerals, Realty, and Resource Protection (Attn: Manager, Lands and Realty Group, WO 350).

Signatures on the questionnaire will constitute acknowledgement that the program evaluation responses have been reviewed for accuracy and completeness.

3. Program Leads at the State Office and Headquarters will work together to evaluate the questionnaires. Headquarters will then provide each State Director with a summary of the findings from the program review within their State, which will include any identified deficiencies and suggestions for correction. Headquarters will monitor the corrective actions as appropriate, including a visit to your office at a later date for further quality assurance or assistance.

The Lands and Realty Group (WO-350) will coordinate with the Program Evaluation Staff (WO-830) to ensure that the review is properly documented and included in the Bureau's annual assurance statement to the Department.

Timeframe: Self-Assessment Questionnaires for the 2920 Film Permit Program are to be completed and submitted to WO-350 by June 30, 2003.

Budget Impact: Self-assessments are expected to greatly reduce the cost of doing program reviews. There will be less travel and per diem costs, more time in the office for all involved, and the host office will spend less time than normally involved in the traditional management control review.

Manual/Handbook Sections Affected: This IM evaluates and reinforces policy guidance contained in BLM Manual 2920, Leases, Permits, and Easements.

Coordination: This guidance was coordinated with the Program Evaluation Staff (WO-830) and field office staff involved in the Lands and Realty program.

Contact: If you have any questions regarding this self-assessment program evaluation, please contact Vanessa Engle, Lands and Realty Group (WO-350) at 202-452-7776 or via email at vanessa_engle@blm.gov.

Signed by:
Bob Anderson
Acting Assistant Director
Minerals, Realty and Resource Protection

Authenticated by:
Barbara J. Brown
Policy & Records Group, WO-560

1 Attachment

1 – Self-Assessment Questionnaire (7 pp)

**FISCAL YEAR 2003
SELF-ASSESSMENT QUESTIONNAIRE
2920 FILM PERMITS**

The primary purpose of this self-assessment questionnaire is to determine the level of compliance with policy and regulations in the film permitting program, and to determine where more guidance may be required. BLM authorizes an average of 405 film permits each year. The number of permits varies from State to State with the greatest number of permits authorized in California, Utah, and Nevada, respectively.

Directions: This self-assessment will cover a number of topics associated with 2920 film permits (land use authorizations). In most instances, the questions can be answered by either a "yes" or "no." In other instances, the questions are self explanatory and will require you to make a selection(s) or "fill in the blank."

The questionnaire should be answered by an individual on the field office staff that is responsible for processing 2920 film permits. Once the questionnaire has been completed, the Field/District Office Manager should certify the responses by signing at the end of the self-assessment questionnaire. The questionnaire should then be forwarded through your State Director to the Assistant Director, Minerals, Realty, and Resource Protection (Attn: Group Manager, Lands and Realty ,WO-350). Signatures on the questionnaire will constitute acknowledgement that the program evaluation responses have been reviewed for accuracy and completeness.

SECTION 1: GENERAL

1. Indicate the name of your geographic location (e.g., name of State Office, Field or District Office and name, title, and phone number of person completing this questionnaire.

Name of geographic jurisdiction:

State: _____ Field/District Office: _____

Name of person (including title and phone number) completing this questionnaire:

Name: _____ Title: _____

Phone number: _____

2. Please indicate the number of 2920 film permits authorized by your office for the following fiscal years:

FY 2000 _____

FY 2001 _____

FY 2002 _____

FY 2003 _____

Attachment 1-1

If your answer was "None" or "Zero" to ALL of Question 2, you can STOP and do not have to answer the subsequent questions.

SECTION 2: PERMIT REQUIREMENT

3. For which of the following filming projects does your office waive the requirement for a film permit? (Check all that apply)

- / / Breaking news
- / / Television “news magazine” programs
- / / Television documentaries
- / / Film projects with no more than 2 or 3 people
- / / Still photography with no models, sets, or props
- / / Student films
- / / Other (explain):

4. Are you familiar with the Act of May 26, 2000 (Public Law 106-206) which pertains to commercial filming and still photography on Federal lands?

☐ yes ☐ no

SECTION 3: MINIMUM IMPACT

5(a). Are the guidelines at 43 CFR 2920.2-2 sufficient for you to determine whether a proposed use falls within the minimum impact category?

☐ yes ☐ no

5(b) If you answered “no” to Question 5(a), explain what criteria you use to determine whether the proposed use falls within the minimum impact category?

6(a). Do you document the minimum impact determination in the decision record for the permit?

☐ yes ☐ no

6(b). If you answered “no” to Question 6(a), what other method, if any, do you use to document the case file of your determination of minimum impact?

Attachment 1-2

7(a). If a determination is made that the proposed use falls within the minimum impact category, do you issue a permit decision that takes effect immediately?

☐ yes ☐ no

7(b). If you answered “no” to Question 7(a), explain when the permit decision would take effect?

8. If the proposed use does **not** satisfy the requirements for minimum impact, how do you proceed (check all that apply)?

- / / if possible, have the company revise the proposal to meet minimum impact criteria
- / / sign the decision and approve the permit
- / / publish a Notice of Realty Action
- / / afford a 30-day appeal period
- / / other (explain):

SECTION 4: LAND USE PLANS

9(a). Do you verify that the proposed use is in conformance with your Land Use Plan?

___ yes ___ no

9(b). If you answered “no” to Question 9(a), please explain why not.

10. If the proposed use does not conform to your Land Use Plan, how do you proceed (check all that apply)?

- / / allow the filming to occur for minimum impact permits
- / / deny the application
- / / amend the plan
- / / suggest an alternative location that would allow for the proposed use
- / / other (explain):

Attachment 1-3

SECTION 5: LAND USE PERMIT

11(a). Do you require the applicant to submit a written, detailed description of their proposed filming activities, including set construction/rigging, stunts or pyrotechnics, use of livestock, quantity and type of vehicles and equipment, size of the cast and crew, and number of days activity will take place?

___ yes ___ no

11(b). If you answered “no” to Question 11(a), explain how you obtain the necessary information to evaluate the proposed use.

12. Which of the following do you require from the applicant **before you begin to process** a film permit application (check all that apply)?

- / / a completed SF 2920-1 application form
- / / detailed description of proposed filming activities
- / / cost reimbursement fee for application processing
- / / other (explain):

13(a). Do you complete all applicable sections (permittee name, serial number, legal description, purpose, rental fee, film dates, etc.) on the permit form prior to requesting acceptance (signature) by the permittee?

___ yes ___ no

13(b). If you answered “no” to Question 13(a), explain at what point in the process you complete this information on the form?

14. Which of the following do you require **before you issue** a film permit (check all that apply)?

- / / signed acceptance of the terms, conditions, and stipulations of the permit by someone authorized to sign on behalf of the company
- / / advance rental
- / / certificate of insurance naming the United States as additional insured
- / / cost reimbursement fees for monitoring the permit
- / / performance bond, if needed
- / / other:

Attachment 1-4

SECTION 6: FEES

15(a). Do you collect funds to cover the reimbursement of processing and monitoring costs for permits when rental fees exceed \$250?

___ yes ___ no

16(b). If you answered “no” to Question 16(a), please explain why not.

17(a). Is the amount of cost recovery determined by using the guidelines found at 43 CFR 2808?

___ yes ___ no

17(b). If you answered “no” to Question 17(a), explain how you determine the cost reimbursement amount?

18. Into which account do you deposit cost recovery funds?

Account _____

19. What fee structure is used to determine rent?

20. Into which account do you deposit rental receipts?

Account _____

21(a). Would you be in favor of having a nationwide rental fee schedule?

___ yes ___ no

21(b). If you answered “no” to Question 21(a), please explain why not.

SECTION 7: COMPLIANCE

22(a). Is the permittee instructed to have a copy of the issued permit in their possession at all times while filming on BLM lands?

___ yes ___ no

Attachment 1-5

22(b). If you answered “no” to Question 22(a), please explain why not.

23(a). Do you monitor filming projects to ensure that the company complies with the terms, conditions, and stipulations of the permit?

___ yes ___ no

23(b). If you answered “no” to Question 23(a), please explain why not.

23(c). If you answered “yes” to Question 23(a), which of the following compliance situations are most frequently used by your office (check all that apply)?

- / / always monitor filming projects
- / / infrequent monitoring
- / / monitoring only for large filming projects

- / / monitoring only when pyrotechnics are involved
- / / use mostly BLM monitors
- / / use mostly third-party monitors
- / / other (explain):

24. Which of the following actions does your office take when the filming company is in non-compliance with the terms, conditions, and stipulations of the film permit (check all that apply)?

- / / ignore the problem if there is no resource damage
- / / document the incident, regardless of the severity (photographs, video, report, etc)
- / / suspend all activities on the ground until the problem has been resolved
- / / use law enforcement to handle the problem
- / / contact someone higher in the filming company's hierarchy to correct the problem
- / / other (explain):

25(a). After filming has been completed, is the area routinely inspected for any resource damage and to ensure that all sets and props have been removed and the area has been returned to its original condition?

___ yes ___ no

Attachment 1-6

25(b). If you answered "no" to Question 25(b), please explain why not.

26. Who authorizes 2920 Film Permits in your office?

Title: _____

SECTION 8: LR 2000

27. At what point(s) in the processing of the application is the case file information entered into LR 2000?

28(a). Are the mandatory LR 2000 action codes used?

___ yes ___ no

28(b). If you answered "no" to Question 28(a), please explain why not.

SECTION 9: GUIDANCE

30. Are there any areas where you feel more guidance is needed in the film permit process?

.....

I certify that, to the best of my knowledge, the answers to this questionnaire are correct.

Field/District Office Manager

Date

State Director

Date

Attachment 1-7